192 234 574 supply them with milk. In Kinyaga (Shangugu) and in Bugoyi, it is called umuheto. In Ndorwa it is called kibere. [58]

IMBYUKURUKE. A choice cow destined to be shown to a visiting high personage and to provide him with milk during his stay.

192 431 231 IBIHEMBO. Gift of cows to the wife of the king, a great chief, or a patron when she has a child.

The gift made by the Bahutu consisting simply of milk or beer is called y'ibihembo.

192 231 426 INTIZO (1). 1) A man who has been despoiled by his chief receives a cow from a friend as a loan (intizo) until justice is done. The friend may perhaps only give him milk (intizo), because by sending a cow he would ostensibly show his friendship and would thus risk incurring the wrath of the chief.

1. From gutiza, "to lend."

192 231 2) A cattle owner must give at least one milch cow to his cowherd (umushumba) who does not have time to cultivate for himself.

[465] 3) A Muhutu who cultivates the fields of a Mututsi receives milk (intizo) from him morning and evening.

4) A cow is given to two farmers who share the milk and the payments required in exchange (2).

2. Milking a cow is equal to the salary for one day of cultivation.

[681] 431 IMPONGANO. A cow given in reparation for an offense or as a present to the one (inshuti) whose intervention may help to win the lawsuit.

[696] INGURANO. A redemption cow given by a patron or the head of a family to keep the guilty one from being condemned. [59]

192 437 231 INKUNGURANYO (1). Primus, owner of a heifer approaches Secundus to ask him to exchange the cow for a female calf or for two bulls. They must not give anything in addition in order to have an absolute right over the exchanged object, but neither of them has the right to take back the exchanged value.

1. From gukunguranya, "to exchange two cows of equal value definitely and irrevocably."

1; Vanhove--92A G-5 (ca. .1935) 1941 FO42 Rundi FO42

[opp. p. 106]

681

Impaled cattle thief.
(Official photo, Colonial Office.)

672 circumstances are not taken into account, except in the case of a theft of provisions, when the judge must make sure whether the motive for the crime was hunger or fraudulent intention.

681 Children who commit an offense are whipped. Insane criminals are shut up and shackled.

682 Striking back is considered legitimate in the case of an unjust attack. In the past, if the aggressor was killed, the individual who had legitimately defended himself asked for the Mwami's intervention to stop reprisals by the family of the author of the criminal attempt. The king then forbade the exercise of private vengeance.

[115] 9. Prescription

681 Prescription of the punishment as well as that of public action is unknown in Ruanda's common law.

CHAPTER II. PROCEDURE (1)

692 1. Today, with the exception of crimes such as the abduction of cattle and private disputes which are in the cognizance of native tribunals, penal cases in which natives are involved are judged by European courts. The Belgian government has maintained, almost entirely, the native judicial organization in civil affairs. (Cf. J. Vanhove, Les Juridictions indigènes au Ruanda [Native Jurisdiction in Ruanda], Revue Congo, July, 1939).

1. The Various Degrees of Jurisdiction

Usually the parties first attempt to settle their dispute amicably before appealing to the jurisdiction of the hill chief (2).

2. Uruja kujya ibgami rubanza mu bagabo, that is to say literally, "the palaver that

357 like a member of the family (No. 19, p. 13). The adopted
597 person does the work around the house, tends the cattle, and
592 tills the fields, but he cannot acquire any property. If he wishes to give up his job and offer his services to another master, he may do so at any time, but the former master has so many indirect means at his disposal to force the servant to stay that most of those who have themselves adopted spend the rest of their lives with the same master.

592 Thus, the circle of dependents or retainers of any prosper-
554 ous and influential Murundi consists of these domestic servants,
573 of impoverished relatives and parasitic friends, fortune-hunting flatterers, and economic and political dependents of all sorts. Every day they pay homage to him in his kraal and accompany him wherever he goes. The greater the master's reputation, the larger is his entourage. It is rare that one sees a Mutussi of high status walking with an entourage of less than a dozen persons and often with as many as 20 to 30. In Urundi the entourage is called mafuatano; in Ruanda where the same institution exists it is referred to as bagaragu.

681 Debt slavery does not exist in Urundi. The Barundi, how-
[561] ever, have a great variety of very drastic punishments (ikihano) for violations of the law causing damage to life, limb, and property. In most cases the guilty party or his relatives or clan may atone for the misdemeanor or crime by a smaller or larger payment in the form of produce, cattle, salt, pearls, iron, etc. The amount is determined by the mutwale who acts as the judge (p. 94). If it is a case of a serious crime, manslaughter, murder,
628 or a serious injury, the kin group or clan vendetta (see p. 105)
672 becomes operative; this is done with the cooperation of the au-
681 thorities. The injured party or, if he has been killed, his kin group attempts to seize the wrongdoer by any means at their disposal. If the latter takes refuge in a neighboring province beyond the avenging arm of the injured kin group, an attempt will be made to catch one or several of his wives, children, brothers or sisters, close relatives, or members of his clan in his place. The captive is bound and locked up until his family obtains his freedom by paying a large amount of ransom money. This is forthcoming

628 672 681 in most cases. However, if the ransom is not paid, the members of the injured group, with the consent of the mutwale, proceed to execute the victim. They take the captive to a remote place and first cut off his hands, then his feet, and eventually also the ears, nose, and tongue. Then the unfortunate victim is nailed to the ground by piercing four poles through his arms and thighs; there he finally receives the death blow through his chest (No. 19, p. 472). Another method of execution is to drive a sharp pole through his anus into his body up to his throat. The body is then exhibited in a public place. The vendetta takes similar forms among the other Bahima, down to the far south in Ufipa (No. 47, pp. 108-111). Stealing cattle and witchcraft are punished in the same cruel manner in Urundi.

762 [98] Persons intending to commit suicide, who are not by any means rare either in Urundi or Ruanda, usually kill themselves by hanging or drowning.

695 It appears that the oath (indahiro), the invocation of the deity, the manes, or the king for the purpose of affirming a statement, is not permitted as a legal device among the Barundi who, incidentally, "use oaths, curses, sorcery, lies, or trickery" copiously. On the other hand, a judge frequently inflicts the ordeal on the accused, especially if it is a case where he has charged with witchcraft and sorcery (No. 19, p. 405). Most often this takes the form of the spear test. It consists of stabbing the accused person's arm with a hot spear point. If the blood gushes out, he is judged guilty; if not, he is considered innocent. The water test is applied by making the accused place his hand into a pot of boiling water. If his hand is scalded, he is considered guilty, otherwise, not. Also, under certain conditions, the poison test is used, a custom found all over Africa. Of course, there exist all kinds of methods designed to make the ordeal come out correctly, like greasing or powdering one's skin, using counter-poisons, etc.

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1. In actual practice it is the king himself who designates his heir directly during his lifetime, or indirectly through executors, who make known the king's last will after his death.

When the throne was left vacant, there often ensued contests which gave rise to complications and bloody tragedies.

The Mututsi /Batutsi/ chief of the most powerful clan sometimes made his own choice among the sons of the dead king andfforced acceptance of his candidate. This happened in 1896, when Kabale rebelled against the rightful heir, Mibambge IV Rutalindwa, and had Yuhi IV Musinga, his own nephew and the present king, elected instead.

644 767 8. The royal corporation of undertakers called Abanyamugogo. Rightly or wrongly, they claim to be descendants of those who handled the funeral of Ruganzu II Ndori.

We shall mention them again in the section dealing with funeral rites.

644 9. Executioners.

They are usually chosen from among the Batwa.

681 696 So far as ordinary criminals are concerned, executions take place at the capital. High-ranking culprits are often placed in the custody of a chief, who leads them to the Buberuka or Bugessera provinces.

The unfortunate victims are strangled or smitten down with spears, and then tossed into the pit (urwobo) of Bayanga or into the shifting marsh of Nkonde. Aside from strangulation and drowning,

644 the Banyarwanda also practice dismemberment, otherwise known as
●681 the "torment of the hundred wounds."
696 First the flesh of the face, arms, calves, back, etc. are cut up in order to make the victim suffer as long as possible. This refinement of cruelty is carried out mainly in vendettas (guhora).

Impalement is reserved for cattle thieves. There is mention of an unfortunate man whose stake threatened to come out through his side. The operation was begun all over again..., but the patient /377/ died long before it was concluded. The most common torture for persons of medium rank consisted in cutting off their hands and feet and leaving them thus on the spot, where they died of cold if the hyenas did not devour them first. Sometimes death lingered for two or three days because the blood had coagulated and the hemorrhage had stopped.

Some of those unfortunate victims would bellow their torment and thirst, dragging themselves wretchedly on knees and elbows and vainly attempting to come near the huts and implore the pity of human beings. Their doleful cries were heard throughout the night.

[687] Fear suppressed pity, for the slightest act of compassion would have been regarded as high treason. Any show of pity or mercy was punishable by death. Execution by club, spear, or billhook blows and the cutting of the carotid artery were regarded as the mildest and quickest methods for victims entitled to a certain consideration. This category included elders, women, former favorites, and certain court employees. Important personages whom one did not wish to "do away with" (gusonga) were often sentenced to lose their eyes.

Before the arrival of the Europeans, hardly a week went by at the capital without a bloody execution. If several weeks elapsed without one, the fact seemed so extraordinary that the following expression was repeated everywhere, "Peace (or calm) reigns at the capital" (N' ubuhoro ibgami).

644 Sorcery was the cause of condemnation most frequently in-
683 voked. When people had an enemy and wished for revenge or when they coveted a rich man's possessions and wealth, no great effort of the imagination /378/ was needed on their part to prove the culpability of the man whose death they desired. When a man was led before

686 "Why don't you make the sky weep if you wish to find a remedy for your suffering!" people would shout at them as a joke (1).

1. Izuba libaririre!

"If it does not rain at such-and-such a time, if you do not make our fields green again, you will die".... And execution followed close upon the threat.

635 692 Like the king, the great Batutsi chiefs sat in judgment and passed sentence in their provinces when they resided there or whenever they were passing through. They were not all alike. Among them there were just and humane men, and one likes to believe that they were in the majority. Some nevertheless left a bad reputation on account of their cruelty. It is said that two of them took pleasure ● 681 in having the arms of their victims bound behind their backs with wire drawn so tightly that the elbows met and the wire sank into the flesh.... Many persons died of this unique and atrocious torment. Another dignitary had those upon whom he wanted to wreak his revenge immobilized and made to lie on their backs.

Then he would make his victim drink a pitcher of beer or water through a gourd shaped like a funnel. A third man, leaning heavily on his spear, would pierce his victim's foot and thus nail him to the ground. A high dignitary punished those who had displeased him by seizing two of their fingers and pulling them apart with all his might, thus tearing the tissues that connected them. Fortunately, however, those were exceptions which should be ascribed to paganism, the primitiveness of customs, the cruelty of the times, the criminal procedures then in effect, the passions aroused by clan struggles, the competition for power, the revolutions, and sometimes also the proud and savage conceit of chiefs who were too young to govern. /380/

643 661 In order to gain an accurate understanding of the more that prevailed at the time, the reader must be reminded that the life of a man counted for very little in the eyes of the king and of the great chiefs. Subjects of Lwabugiri who are still alive today (he died in 1895) report that in order to show his skill or to judge the strength of his bow, the sovereign would shoot at the first person who appeared

671 theft, arson, and destruction of crops caused to a neighbor, grazing rights, the levying of taille /head tax/ and forced labor, etc. Culprits [696] of high lineage and wealthy people often extricated themselves with money and innocent people sometimes payed for offenders, especially when false witnesses were suborned.

The Pit of the Bugessera

133 823 681 696 Among the various torture spots such as the swamp, called Nkonde in the Buberuka, the Nshimbo swamp near Lukaza, the Ruboneye swamp near Nyanza, the place called "Ficus-tree spot" (ku Kivumu), certain rapids of the Akanyaru and Nyabarongo rivers, etc., it was the pit of the Bugessera that left the most evil memory. Its reputation is highly sinister, owing to the illustrious offenders who were tossed into it and also to the legends that circulate about this accursed place.

The pit is located in the Bugessera region, not far from one of Lwabugiri's ancient residences, which it is surprising to find in the middle of this deserted region.

The landscape is stark, even wild, and darkened by the memory of the tragic executions it witnessed. /382/

681 696 823 The pit is a sort of depression in a rocky area (ibuye ryasamye), about three or four meters deep. It is more or less filled with stagnant rain water according to the time of year, and it is half choked with mud (1). Clumps of trees of various kinds make islets of greenery and

1. The Blacks like to account for the peculiarities of rocks and boulders, whose shapes and cavities invite comparisons. They tend to attribute these formations to the influence of men or demigods. They gave the name of "Bayanga's little beer boat" (umuvule) to another depression located near the preceding one and which to their eyes had that appearance. All around

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the "little boat" there are cavities or small holes upon which the Mututsi Bayanga, according to the same tradition, placed the beer jars (ibiteleko by' ibibindi by' inzoga).

The torture spots sometimes borrowed their name from the first victim to be sacrificed there, such as Nkonde, Ruboneye, Nshimbo, etc.

break the monotony of that vast plain on which only herders and hunters roam.

Tradition adds that a Mututsi formerly lived not far from the pit and led his herds to water there.

His name, Bayanga, remained bound to the spot (urwobo rwa Bayanga). Cursed by some king whose name is now forgotten, the place was later deserted.

It seems, however, that the pit was not put to its new and tragic use until the reign of King Lwabugiri, who settled with his court in the middle of the Bugessera waste around 1886 or 1889 in order to be closer to the Urundi he hoped to conquer. The presence and proximity of the pit probably suggested to him the idea of tossing criminals and convicted political offenders into it. It was a short step from thought to deed. The first victims, at least those whose name has been preserved, date from the time of Lwabugiri's reign.

Since this is a remote place that inspires terror, it is known only to the executioners and to the few inhabitants of the Bugessera. Fancy took charge of this cursed place and wove fantastic tales about it which are naïvely believed by the populace. /383/

It is said that anyone who drinks of the water will die instantly. Even to wash one's hands in it or merely touch it would have the same result. It is said that a hunter who was a stranger to the land and who quenched his thirst at the pit contracted leprosy on the spot and died after horrible sufferings. This same water is said to be fatal

681 to birds and animals such as buffalo, gazelles, wild boars, dogs.
696 Even if the latter should not die immediately, their masters would
623 have to kill them for fear of being stricken themselves by contagion.

Each night, they say, smoke and flames rise from that awful place and cast a reddish glare on the horizon (1).

1. The grass fires at the end of summer must not be foreign to this association of thoughts and images.

It is also said that the waters have the color of blood (atukura, assa n'amarasso). Every time an offender is led to the pit, the waters rise suddenly as though to fetch the victim (ngw' abon' umugome, akassama). After swallowing their prey, the waters subside. Then protracted cries and moans (akaboroga, akater' induru) arise from the bottom of the pit.

The pit is so deep, it is commonly said, that its waters join those of Lake Kivu (ngw' aja hasi, afatanye n'i Kivu).

Considering such stories, one can easily understand why people should speak with terror of that cursed place.

681 In actual fact, the victims were strangled or killed with spears
696 before they were thrown into the water.

An attempt was made to submerge the bodies, but they would rise once more to the surface. The hyenas quickly disposed of them. After leaving the place of torture, the executioners would go a certain distance to another depression, usually filled with water, in order to clean their weapons and wash their blood-stained hands. /384/

[848] Traitors and enemies, bewitchers and ranking political
[845] prisoners were not the sole victims of the accursed pit. Among those
[847] condemned to die at that sinister spot were also freak babies (ibimara),
unwed mothers (ibinyandaro), children born during the period of
[826] mourning held for their father (inda y'amabi) sometimes along with
their mother, young girls whose breasts had not grown (impenebere)
(1)..., and calves born in a "faulty" manner (ubufuti), such as those
whose legs... came first.

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1. Girls who reached marriageable age with this physical peculiarity were formerly regarded as an evil and a threat to the land. The small development of their breasts was considered a crime. They were called the girls "with undeveloped breasts," impénebere, from the verb guhenebera, meaning "to be limited," "to be brought to nothing."

681 whose legs... came first.
696 Those beings, abnormal or regarded as such, were invariably condemned prior to European penetration. There was no pity for them. They had to be done away with secretly and at night, so as not to be denied passage through the land which had to be crossed. According to popular belief, the mere presence or accidental sojourn of one of those beings could unleash famine or other evils throughout the region.

Chapter 2

Duties of a Purely Utilitarian Nature

644 A. The employees of His Majesty's "Mouth" and "Cup" /departments/, that is to say, the cooks and domestic servants (Abahanga, "the Skillful Ones," and Abozi, "the Washers") have always been regarded as holding the least enviable position at court. The hut in which the servants keep the bowls of milk reserved for the king is /385/ designated by the name of kiryana, "the house that devours its inhabitants," since few are the men who survived their 682 duties. After a varying length of service, they were suspected in almost every case of planning to poison the king, and they died a

644 They were sometimes employed, in preference to other servants, to
701 lead away the convicted high-ranking offenders who were to be exe-
● [681] cuted at the usual places of punishment (Buberuka, Bugessera).

I. The name of Impara is used to designate another army corps which is recruited from among the inhabitants of Kinyaga provinces. This name was also given by extension to a group of individuals who are initiates of the Ryangombe secret society and who are compelled thereby to live close to the king in order to draw upon him the favors of the shades of all those who once belonged to that religious society.

They must make an appearance when the king rises, bearing on their heads the tails of hares (amashira y' inkwavu) or of some other carnivore /sic/ like the marten (ibiharangu), which they shake
[769] to the right and to the left while singing and dancing. They hold in the hand small bells or sistra (ibinyuguri), which they ring while /389/ invoking in a loud voice the protection of Ryangombe and his companions. Aside from this beseeching role, they fulfill other functions within the king's household.

Owing to their functions as suppliants and intercessors, which is their chief role by far, they might just as correctly have been included in the category that follows.

Duties of a Supposedly Utilitarian Nature, Some of Which Are Private and Others Public and National.
Sorcerers and Diviners of All Kinds.

644 A. The Bakoma clan has already been discussed at some
791 length in "History of a Reign, " /Book III, not translated/. They were direct descendants of the autochthonous petty kings of Marangara land and were formerly regarded, along with Mashira, as powerful sorcerers. It was believed that they could preserve or take life by hidden means known to them alone.

The first of those autochthonous princes, whose real name was Sekibakanyi, had a tremendous reputation. It is still said today that
[539] "Nkoma Sekibakanyi, king of Marangara, (son) of Nkondogoro, knew how to cast spells a great deal better than those things are done today" (Nkoma ya Nkondogoro ikilozi cho mu Marangara kitaloger' ubussa nk' aba none!). This phrase is now proverbial.

1 [i.e., the Intalindwa. - Analyst]

644 the queen mother who had called him. She wanted news of a court
661 lady who had just given birth.
696 This woman lived a short distance from the capital. Night fell. The messenger set out on his way. He was accompanied by a chief and by a factotum.

They reached the edge of a swamp of sinister fame where summary executions were formerly performed.

The young man, guiltless and carefree, walked in front. He was struck from behind. . . and has never been heard of since.

Another occupant of the hut with the portentous name, just as peaceable as the preceding one but older, was brutally seized in turn when he least expected it, after being designated by the diviners' bones. . . . First he managed to run away and hide at a friend's house. When he attempted to return to his own village, however, he was recognized and captured along the way by a chief who led him back to the capital. He was tossed into prison where he was joined during the night by sinister-looking men. They held in their hands large milk jars which they used to crush his jaw and face. The prisoner, tightly bound as the Blacks know how to do, was stretched upon the ground /481/ and unable to make the least motion. Kicks and blows fell thick and fast upon the chest and stomach of the unfortunate man whose body soon became a single wound.

He was finished off by strangulation.

Several groups of young girls were also killed, some under the fallacious pretext of having poisoned the tobacco they prepared, others for having stolen bead necklaces. The latter, after they had confessed, were first thrown into prison. A day or two later, they were taken out and led to the queen mother, who feigned reconciliation and pardon and received them with great displays of joy. Hydromel was served to them in large quantities. A deep sleep took hold of them. Then the executioner came and strangled them. . . .

●681 In order to give an idea of the frequency of executions and
696 variety of corporal punishments, we shall give here a sort of
644 necrological list that includes the names of the victims and the circumstances of their death.

681 This list, which is incomplete, covers a period of some 20
696 years just before the Europeans took possession officially.
644 We list these data, of course, without vouching for their accuracy. We cannot guarantee the authenticity of every victim, and still less that of the details of the executions. We can only relate popular reports that are sometimes or even frequently suspect in their statements and evaluations.

Victims of the "Milk House"

1. Lwandenzi, of Mututsi /Batutsi/ race, originally from the Bgana-Chambge, was led into the Bugessera forest.

His executioners tied him to a tree and cut off his feet (kumusongor' ibirenge). /482/

2. Lutindamateme, an Umututsi from the village of Ntenyo (Nduga), was first bound, then killed with a spear thrust and thrown into the Ruboneye swamp.

3. Lwanyonga, a Mututsi, died in the same way at the the same time as the preceding man.

His corpse was cut into pieces by sorcerers, who wanted to hinder his spirit from harming the king.

4. Minega, son of a certain Bushakiro, a Mututsi from Mwendo (Nduga), had his throat slit in the Bugessera forest.

5. Gahima, son of Nyarwambari, a Mututsi from Gassaka (near Gisseke), was clubbed to death in the inner courtyard of the palace.

6. Munyagishari, a Mututsi, was killed with spear thrusts and thrown into the Ruboneye swamp.

7. Gakwise, of Muhutu /Bahutu/ race, suffered the same fate.

8. Karara, a Muhutu, died the same death.

9. Ntagwabira, a Muhutu, died like the preceding.

10. Ibingira, a Mututsi, also died in the same manner.

11. Butama, a Muhutu, was clubbed to death.

12. Majanjo, a Mututsi, strangled himself in prison to escape the corporal punishment which awaited him.

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13. Kajigiri, a Mututsi from the Gissaka country, was first bound. His executioners lifted him several times and dropped him on his head. He was finished off with club blows.

14. Lwamiheto was given numerous blows by club. He was released almost immediately and died three months later of the brutalities he had suffered, according to public opinion.

15. Kayonga and his son, after many vicissitudes, were slain with spear thrusts and thrown into the Ruboneye swamp.

Victims on Other Counts

1. Bigutu and Balikage, the latter a son of Bisango and chief of the Bgishaza provinces, were killed while the court was settled at Kamonyi, after having been accused of opposing the new regime. /483/

2. The great Mututsi /Batutsi/ chief Lutishereka, his sons, and some of his followers had their throats cut while the court sojourned at Mukingo. This was done at the instigation of Luhinankiko, who blamed that high dignitary for inciting one of Lwabugiri's sons to murder his friend Baryinyonza.

3. Serukenyinkware, from the Mututsi /Batutsi/ clan of the Bachumbi, was accused of the same crime. He was cut to pieces while the court was staying at Mwima.

[685] 4. Three employees of the court, at Nyanza, were caught killing a cow which they had stolen from the king.

They were condemned to death by spearing, and they made it a point of honor not to utter the slightest cry of pain.

5. A young Mututsi, after being bound and beaten with rods all through the day, was dragged still alive by the feet, into the swamp, where he was finished off by the Batwa.

[683] 6. Two inhabitants of the village of Musumba (Nduga), named Lukesha and Lugingabahizi, had their hands and feet cut off for a crime of bewitchment. The two poor devils were held responsible because Lwibishenga, a brother of the queen mother, had almost lost his sight as a result of yaws.

7. Two Bahutu were shot point blank in the palace courtyard for a crime of espionage.

[681] 696 644 8. A slave (umuja) was struck down along the road at night after she had been advised to leave court and seek her fortune elsewhere. She was punished for not having watched closely enough over the moral behavior of two young princesses of royal blood.

9. Luhinankiko, a son of Queen Mother Nyirayuhi, was stripped of his property for having had Lutishereka killed. He even had to flee to Urundi, where he spent some 15 years.

Since Kabale, the regent, could not take his revenge upon him as he would have wished, he turned upon his friends and followers. /484/

Chaka, who was Luhinankiko's son-in-law, and Sebuharara and Rulinda, who were his protegés, were attacked in the Buganza by the men of the powerful minister. Defeated and unable to flee, they shut themselves up in a hut, set fire to it, and perished in the flames.

Kaningo, who belonged to their faction, was stripped of his property. On the point of being caught and knowing what awaited him at the capital, he also burned himself in his hut.

[683] 10. The Banyarwanda still remember the corporal punishment inflicted upon the six "poisoners" (1) led to Nyanza by chief Kanuma.

1. This is how the individuals suspected of the alleged crime of bewitching are designated.

These unfortunate persons had their hands and feet cut off.

11. Nyantanyi, son of Semakamba, as surrendered by Musinga to Gashamura, son of Lukagirashamba. Lwamwa, one of the latter's sons, had been killed at Ndolandi, a land he wished to conquer, by Nyantanyi's men. His relatives, the Batsobe, complained to the king, who gave them satisfaction by handing the local chief over to them.

Nyantanyi was bound and led outside the palace by Gashamura and his followers. Lwamwa's son stabbed him first in the side with a spear, and almost immediately 20 or 30 spear thrusts laid him low. [628] His head and right hand were cut off to be shown to the other followers, as was done in vendettas. One detail is to be noted: Gashamura was Nyantanyi's uncle by marriage and his father-in-law.

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Sentashonga, the victim's cousin, was granted permission that evening to have the corpse of his relative buried.

The elders and former habitués of the court do not lack for narratives of this kind, which they relate like any other tale without seeming overly shocked by them. Such is the environment, such are the mores and attitudes. /485/

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"The king is the master," they say. "He does as he pleases. The decisions he makes cannot be contested. He is the supreme judge. One can only obey and assent." The victims' relatives were sometimes the first to come and greet him, feigning total impassiveness, forced as they were to drive back to the bottom of their hearts the bitter pain which they could not but feel.

Complaints, wails, and recriminations could only have stirred up the anger of the king and given rise to new slaughters.

While looking after his own safety, every person also had to keep in mind that of his people /relatives and friends/. The latter, indeed, might be held responsible for the deeds and actions, no matter how harmless, of any of their fellow members. The extermination of a whole family formerly weighed very little on the scale of royal justice.

So as not to provoke trouble which might prove fatal, therefore, they put a good face on misfortune. Those executed, however innocent they might have been, were claimed in loud voices to have been cursed men (ibichibga) or rebels. To shed tears or express one's sorrow were crimes of high treason. "A mere whim of the master was sufficient to send a person to punishment. What won't one do to avoid so cruel a fate?" This statement made by a court favorite of the previous reign /avant-règne/ reveals a great deal about the mores of the time. "If the king happened to sprain his foot," added the same man, "to knock against some obstacle or pebble, it was not a good idea to meet with him at that moment."

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In his anger the monarch might accuse anyone of having bewitched him, and wreak then and there a signal vengeance.

Professional executioners were not always used for this purpose. The king might call upon any member of his retinue to carry out the task. The person had to comply, no matter how revolted he might

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685 except through the mediation of the chiefs. They try to pay
[867] them back by thievery. Parents try to teach their children not to steal by burning their fingers.

684 Crimes against established morals are also severely punished in Ruanda, although it is commonly maintained that these punishments are being mitigated. Formerly seduced girls of Kissaka, as well as their seducers had to pay with their lives. They were either thrown into the water or hanged from the roof of the hut above the burning hearth. At the present time the severest punishment is to banish the girl.

681 The official death penalty in Ruanda is to break the criminal's neck (kuhotora) or to impale him. In Lwabugiri's day, when the death penalty was more frequently administered, it is said that criminals were also thrown into the swamp with their arms and legs cut off. However, among the skulls collected by my men in Nyanza, in the swamp into which executed criminals were thrown, [279] there were some that showed traces of blows from a bush knife.

In the kuhotora type of execution, the head is put between two pieces of wood and twisted back with this leverage device.

The royal executioner, the Mutwa Muhenehene, is said to kill the king's victims with a spear.

The bodies of those executed in Nyanza are allegedly given to the king's dogs to devour.

The impaled criminal whom Dr. A. Römer had an opportunity to observe was tied between two bamboo sticks running the length of the body, one in front, the other behind. His hands were tied together in front. A stake three or four centimeters thick ran through his body from the perineum to the cranium, without injuring the neck externally. The corpse had no lower leg bones. It was already so decomposed that one could not tell whether these bones had been picked off by hyenas or chopped off by the executioner. The natives who were questioned were not in agreement about this. Dr. Kandt (1) gives the word kuvamba for impaling.

[113] 1. Kandt, R., "an account of his travels and research in Ruanda in Mitteilungen aus den Deutschen Schutzgebieten 1901, p. 120.

681 Punishment by whipping seems to be done less in Ruanda than in Bgisha where the chief ties people to trees and has them punished with up to 100 strokes of the whip on their backs. This [177] custom is said to have been borrowed from the English Askari who were stationed there.

433 On the subject of property rights we wish to make only a 428 few general remarks. The entire country is the private property of the king and is regarded as either entrusted to the chiefs or granted to the clans. All the farmers and herdsmen are merely tenants or have the use of the land. As a consequence, the chief and clan community have the final word in matters dealing with the inheritance of usufruct of so-called crown property, that is, fields and cattle.

422 Only household goods, with the exception of cows, are private 428 property in our sense, and here the wish of the person disposing of the property is decisive, although certain time-honored customs cannot be circumvented. In Bugoye, for example, the oldest son gets the spear and the stool of his father, whereas the shield belongs to the youngest son. (2) Lieutenant Spiltoire told me that in

2. Classe, Father, Moeurs et Coutumes des Bagoye [Manners and Customs of the Bugoye] (Les Missions Catholiques, 1905), p. 439.

Bunyabungu, the principal heir seems to be the son of the sister, but because of his brief visit, he could not verify this.

692 Administration of Justice. In Ruanda the administration of 695 justice is in the hands of the chiefs and the king.

Pronouncing judgment is only of secondary importance, but [280] the chiefs regard it as a sure means of gaining influence. The two parties regard the trial as an attempt to interest a powerful one -- a chief -- in their affairs, that is to say, to make their affairs the affairs of the mighty. The one who wins a case is simply the one who was more highly regarded by the chief and with whom, from now on, it is dangerous to quarrel. In Ruanda it is a long process from the pronouncement of justice to the execution of it.

8: Hall G-5 (1929-31) 1938 FO42 Rundi FO42

586 is, however, an exception recorded, where, on a man dying leaving
851 only female children, these were taken charge of by the village head-
768 man. The right to custody sometimes involves investigation of paternity, the nature of which is fully understood.

[691] *Instances*: A man sues his wife's new husband, after divorce, for payment of bride-wealth or else for custody of a child of which he claims she was pregnant when she left him. A count of months establishes the paternity of the new husband.

The son of a man deceased sues the man to whom the widow has gone, she then having a four-months' old child, for the first offspring of the new union as well as the other child, on the grounds that she was pregnant at the time of her husband's death. The Court finds that no woman has ever been heard of suckling a four months' child and pregnant of another, and therefore awards the eldest child only.

In a third case, it is necessary to establish paternity as between three possible fathers.

[862] An unweaned child will remain with its mother till weaned. If not claimed then, her relatives or new husband may claim recompense for the cost of bringing the child up: in one case a goat is to be paid, in another, half the milk of a cow, and 3 hoes.

768 As a corollary to the right to the custody of a child, the heir of a
428 man who has died has the right to the bride-wealth in respect of a girl-child, when the widow has returned to her relatives and the child has not been claimed before she reaches marriageable age, subject to a deduction for the cost of bringing her up.

[691] *Instances*: In the case just cited, the milk and three hoes represented a deduction from the total bride-wealth of a cow and five hoes.

In another case, the woman's relations resist such a claim on the ground that when she left the heir, her son, and went home, he claimed only her clothes but not the child. Their case fails.

In one case, a man lost his reason, and his wife went off to another man with her three children, of whom two were females. This other man married off one child and betrothed the other. Both contracts
● [681] were dissolved, the man was fined and in addition was made to refund to their father 14 hoes which had been handed over for maintenance of the children.

586 Dissolution of marriage is found to take place on numerous grounds. The records disclose causes of offence by the husband as follows:

9: Maquet E-5 (1949-1951) 1961 FO42 Rundi FO42

The conditions favouring contamination by different diseases and the very limited defences against them permit us to assume that illness and mortality through these diseases must have been very high and a constant threat to everybody.

These brief notes on health conditions in Ruanda would be incomplete without a mention of mental health. We are not attempting here an assessment of the neuroses and psychoses which can be found in Ruanda or to the number of people affected by them and who, in the Western world, would be considered in need of psychiatric treatment. There is not sufficient information on these matters at present. But we would like to consider very briefly conditions which are likely to result in psychological tensions.

We have already mentioned the circumstances which make life objectively hard (a barely sufficient diet, starvation periods, and diseases). In addition it was often dangerous. When informants were asked what sort of reputation they particularly wished to avoid, they did not usually answer by listing the opposites of those particular qualities which they would like to have attributed to them, but by pointing to some definite reputation in which danger might be inherent. Above all, a Tutsi feared to be regarded as an enemy of the king. It was no doubt partly because he felt a genuine respect for the king, but mainly because to be thought of as an enemy of the king was extremely dangerous. It could mean dispossession of everything, the severance of all social relations, exile, or even death. He also feared to be considered a traitor to his chief. This was a less dangerous reputation, although it entailed sanctions: if a client had been disloyal to his lord the latter might take back from him all the cattle he had previously given him and eventually all his cattle. The Hutu said that they feared an accusation of witchcraft, for such an accusation could certainly mean immediate death. There was little that could be done actively to avoid such a danger except to be a good neighbour, to be envied by nobody, to have no enemies, and especially to have a powerful protector. The Hutu were also afraid of acquiring any reputation which could result in their losing the protection of the lord to whom they owed allegiance and consequently leaving them exposed and defenceless against the arbitrary actions of the powerful.[21]

[21] Cf. Maquet, 1954a, or Maquet, 1958.

9:Maquet E-5 (1949-1951)1961 FO42 Rundi FO42

Role	Term of address	Term of reference
VIII. The generation of Ego's great grandchildren		
SoSoSo	Mwana	Muzukuruza
SoSoDa	Mwana	Muzukuruza
IX. The other generations under		
Descendant		Ubuvivi[11]

Let us now turn to the description of the most important of these roles.

During all his father's lifetime, Ego remained subject to his authority, though before puberty the young son was allowed to show some familiarity in his relations with his father. Even at that early age, however, the interests and comfort of his father predominated, and it seems that the weakness of a child was not considered a reason for giving him relatively more food and other comforts than his father. When he reached puberty and was initiated into the Ryangombe sect, he was treated more severely and had to behave as an obedient servant of his father. He could not go to sleep before his father, or get up after him in the morning, without permission. He had to stay near the gate of the fence, to close it at night and open it in the morning, instead of sitting near the fire. This was especially true among the Hutu who did not have servants. There the son had to tend the cattle (goats, sheep, and eventually cows) with the help of his sisters. His training in different men's activities was given to him by his father. Among the Tutsi, where such training included dancing, composition of poetry, and the use of weapons, different specialists were required. The training was given at the court of a chief or of the king. But even when separated from his father for a long time, the young Tutsi was expected to manifest the same attitude of obedience.

When his son was getting married, the father, Hutu as well as Tutsi, had to help him to pay the bride-wealth. Marriage did not change the son's attitude towards his father, who still had the right to inflict severe punishments if disobeyed. He could curse him, which amounted to complete ostracism and being obliged to flee to a region where he was not known and consequently where it was extremely difficult for him to make a living. The father could carry out less severe but more humiliating punishments, such as beating his son with a stick or preventing him from sleeping with his wife for some time by monopolizing her; (it should be noted that

[11] Compare with Vanhove, 1941, pp. 11-16.

he will not give; and if he wishes, he will take back what he has already given in order to give it to someone he likes better. An inferior, whether it be the serf of a Tutsi or a wife in relation to her husband, can protest only in vain that he has worked hard, that he has always been docile and obedient, that he has always liked and respected his superior. There are no formal sanctions against a superior who accepts services and goods from his inferior and gives him nothing in return. However, there are more subtle measures to be taken against him. An inferior, if he has any alternative open to him, will abandon an ungenerous superior.

Sometimes a Tutsi deserts a prince who has not given him cows or a subchiefdom, in order to enter service with one who is more generous and powerful. A son may leave the property of his father if he is not satisfied with his heritage and will enter service with a stranger who promises to give him lands and cows. A woman will return to her father's home if her husband mistreats her, and ask her father to find her a better husband. When those who are dissatisfied complain publicly about ungenerous superiors, they will have difficulty in replacing the inferiors who desert them. However, if one does not find another superior with whom to take refuge, it is necessary to stay with the bad one and to resign oneself to unhappiness, sometimes to hunger, sometimes to death. For, physical violence is the privilege of the superior. It is up to him to instruct and correct his inferiors by words and blows. Or, if he is in a bad humour, his inferiors are always around, and he can take out his displeasure on them. Children expect to be beaten by their parents, serfs and servants by their master and mistress, and a woman, even an *imfura*, considers it quite normal for her husband to beat her, especially if she has been difficult or if he has had a good deal to drink. According to the ideal, a superior is always benevolent, generous, wise and just. Beating does not suggest a lack of affection. If the superior does not give presents to his inferior, then it is known that he does not like him.

In principle, *umutima*, sentiment (literally, "the heart"), is always combined with the material value of a gift. *Urukundo*, love or affection, rather than law or rights, explains the gifts of superiors and the services rendered by inferiors. It is possible that the Rundi insist so much upon the importance of sentiment and love because they have so little of them. However this may be, there is no doubting their joy and sense of well-being when they receive even the smallest present. However, they mistrust *urukundo:* love can change to hate very quickly, they say. Inferiors are always afraid that the superior will stop liking them or will send them packing